

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

RACHEL JOHNSON, on behalf of)	
herself and all others similarly situated,)	
)	Case No. 14-cv-2028
Plaintiff,)	
)	
v.)	
)	
YAHOO! INC.,)	
)	
Defendant.)	
-----)	
ZENAIDA CALDERIN,)	
)	
Plaintiff,)	
)	
v.)	
)	Case No. 14-cv-2753
YAHOO! INC.,)	
)	
Defendant.)	

AGREED ORDER

These matters coming to be heard on the motions of Yahoo! Inc. for summary judgment, the parties having conferred, it is hereby ordered:

1. No later than May 30, 2014, Yahoo will produce all of its written discovery responses and document production, deposition testimony, declarations/affidavits, and expert reports from both *Sherman v. Yahoo!* (S.D. Ca. 13-0041) and *Dominguez v. Yahoo!* (E.D. Penn. 13-1887). If after review of this production plaintiffs believe that they are entitled to additional discovery relating to the issue of whether Yahoo's system is an Automatic Telephone Dialing System ("ATDS"), the parties agree to first meet and confer regarding supplementing Yahoo's initial production. If the issue cannot be resolved, plaintiffs have reserved their right to issue additional discovery relating to the issue of whether Yahoo's system is an ATDS. If additional

discovery limited to the ATDS issue is needed, the parties have agreed to meet and confer to agree upon an expedited schedule.

2. Yahoo has agreed to not issue formal discovery requests. If Yahoo believes it is entitled to additional discovery relating to the pending summary judgment motion, the parties have agreed to first meet and confer regarding potential voluntary disclosures by plaintiffs. If the issue cannot be resolved, Yahoo has reserved its right to issue discovery requests relating only to the issues raised in plaintiffs' opposition. If additional discovery is requested, the parties have agreed to meet and confer to agree upon an expedited schedule. Yahoo has represented that it does not anticipate needing any discovery from plaintiffs in connection with the motions, but reserves the right to request it if needed in connection with plaintiffs' response to the pending summary judgment motion.

3. Yahoo shall complete a Rule 26(a)(2)(B) disclosure for its expert (Monica Desai) on or before May 30, 2014. Ms. Desai's deposition shall take place on June 30, 2014 at 9:00 a.m. at the offices of Greenberg Traurig in Washington, D.C.

4. Plaintiffs shall complete a Rule 26(a)(2)(B) disclosure for any witness who shall provide expert testimony in connection with the pending summary judgment motions on or before July 8, 2014.

5. Plaintiffs' expert witness shall be deposed on or before July 22, 2014.

6. Plaintiffs' consolidated brief in opposition to the pending summary judgment motions shall be due on or before August 8, 2014.

7. Defendant's consolidated reply in support of its summary judgment motions shall be due on or before August 22, 2014.

Dated: June 5, 2014

Enter:

Matthew Emig